

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR02-097-TSZ
)	
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
LESLIE PAUL LEMIEUX, JR.,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An initial revocation hearing in this case was scheduled before me on November 21, 2007.

The United States was represented by AUSA Matthew Diggs and the defendant by Timothy R. Lohraff. The proceedings were digitally recorded.

Defendant had been sentenced in the Eastern District of Virginia on or about July 16, 1999 by the Honorable Claude M. Hilton on a charge of Conspiracy to Possess 10 Grams or More of LSD, Psilocybin and Marijuana with Intent to Distribute, and sentenced to 87 Months Custody, 5 years Supervised Release.

The conditions of supervised release included requirements that defendant refrain from illegal possession of controlled substances, refrain from possession of a firearm, comply with all

01 local, state, and federal laws and with the standard conditions of supervision. Other special
02 conditions included Narcotic Addiction or Drug Dependency treatment and testing. (Dkt. 2.)

03 Upon the motion of the government, the defendant' sentence was reduced to 24 months
04 in custody on December 22, 2000.

05 Jurisdiction of the case was transferred to this District on April 15, 2002, and assigned to
06 the Honorable Thomas S. Zilly.

07 The conditions of supervised release were modified on May 9, 2003 as a result of
08 allegations that the defendant tested positive for marijuana in January and February 2003. The
09 defendant was required to perform 50 community service hours at the rate of not less than 10
10 hours per month, under the direction of his probation officer (Dkt. 3).

11 On December 17, 2003, defendant admitted violating the conditions of supervised release
12 by using marijuana and failing to report for urinalysis testing. (Dkt. 10.) Defendant was sentenced
13 to 10 days in custody, followed by forty-eight months of supervised release. (Dkt. 14.)

14 Supervised release was modified on February 9, 2007 to require home confinement with
15 electronic monitoring for 60 days and further drug testing. (Dkt. 15.)

16 In an application dated October 5, 2007, United States Probation Officer Assistant Jeff S.
17 Robson alleged the following violation of the conditions of supervised release:

18 1. Using marijuana on or about September 26, 2007, in violation of standard condition
19 number 7.

20 Defendant was advised in full as to the charge and as to his constitutional rights.

21 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether
22 it occurred.

01 I therefore recommend the Court find defendant violated his supervised release as alleged
02 and that the Court conduct a hearing limited to the issue of disposition. The next hearing is set
03 before Judge Zilly.

04 Pending a final determination by the Court, defendant is released on the conditions of
05 supervision.

06 DATED this 21st day of November, 2007.

07
08 
09 Mary Alice Theiler
United States Magistrate Judge

10
11 cc: District Judge: Hon. Thomas S. Zilly
AUSA: Matthew Diggs
12 Defendant's attorney: Timothy R. Lohraff
Probation officer: Jeff S. Robson